

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

Wanne Oliver DE LOS SANTOS DIAZ,

Defendant.

) Criminal No.

)

)

) Violations:

)

) 21 U.S.C. § 846 – Conspiracy to Possess
) with Intent to Distribute and to Distribute 40
) Grams or More of Fentanyl

)

) 21 U.S.C. § 841 – Possession with Intent to
) Distribute and Distribution of Fentanyl

)

) 21 U.S.C. §841 – Possession with Intent to
) Distribute 40 Grams or More of Fentanyl

)

) 18 U.S.C. § 2 – Aiding and Abetting

)

) 21 U.S.C. § 853 – Drug Forfeiture
) Allegation

)

)

)

INDICTMENT

COUNT ONE: (Title 21, United States Code, Section 846 – Conspiracy to Possess
with Intent to Distribute and to Distribute 40 Grams or More of
Fentanyl)

The Grand Jury charges that:

Beginning no later than February 22, 2018 and continuing to on or about March 20, 2018,
at Lawrence, and elsewhere in the District of Massachusetts,

Wanne Oliver DE LOS SANTOS DIAZ,

defendant herein, did knowingly and intentionally combine, conspire, confederate and agree, with other persons known and unknown to the Grand Jury, to possess with intent to distribute, and to distribute a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, a/k/a fentanyl, a Schedule II controlled substance.

It is further alleged that the offense described in Count One involved 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, a/k/a fentanyl, a Schedule II controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(vi) applies to this offense.

It is further alleged that, with respect to Count One, 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, a/k/a fentanyl, a Schedule II controlled substance, is attributable to, and was reasonably foreseeable by, Wanne Oliver DE LOS SANTOS DIAZ. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(vi) applies to Wanne Oliver DE LOS SANTOS DIAZ.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO: (Title 21, United States Code, Section 841 – Possession with Intent to Distribute and Distribution of Fentanyl; Title 18, United States Code, Section 2 – Aiding and Abetting)

The Grand Jury further charges that:

On or about February 22, 2018, at Lawrence, in the District of Massachusetts,

Wanne Oliver DE LOS SANTOS DIAZ

defendant herein, did knowingly and intentionally possess with the intent to distribute and distribute a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, a/k/a fentanyl, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); and Title 18, United States Code, Section 2.

COUNT THREE: (Title 21, United States Code, Section 841 – Possession with Intent to Distribute and Distribution of Fentanyl)

The Grand Jury further charges that:

On or about March 12, 2018, at Lawrence, in the District of Massachusetts,

Wanne Oliver DE LOS SANTOS DIAZ

defendant herein, did knowingly and intentionally possess with the intent to distribute and distribute a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, a/k/a fentanyl, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT FOUR: (Title 21, United States Code, Section 841 – Possession with Intent to Distribute 40 Grams or More of Fentanyl)

The Grand Jury further charges that:

On or about March 20, 2018, at Lawrence, in the District of Massachusetts,

Wanne Oliver DE LOS SANTOS DIAZ

defendant herein, did knowingly and intentionally possess with the intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, a/k/a fentanyl, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(vi).

DRUG FORFEITURE ALLEGATION
(Title 21, United States Code, Section 853)

1. Upon conviction of one or more of the offenses alleged in Counts One through Four of the Indictment,

Wanne Oliver DE LOS SANTOS DIAZ,

defendant herein, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offenses; and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

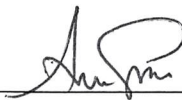
2. If any of the forfeitable property described in Paragraph 1 above, as a result of any act or omission of the defendants,

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty,

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in Paragraph 1 above.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL



FOREPERSON OF THE GRAND JURY



Philip C. Cheng
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS;

Returned into the District Court by the Grand Jurors and filed.



DEPUTY CLERK

DATED: 16 May 2018

2:22 pm

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